

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
124189-1004

In Re Application Of: **George Kent McClure, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/811,500	3/26/04	Unassigned	037058	3727	8906

Invention:

**PROTECTIVE COVER FOR MEDICAL DEVICES**

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

6/9/04  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
124189-1004

In Re Application Of: George Kent McClure, et al.

**Rec'd PCT/PTO 06 AUG 2004**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/811,500	3/26/04	Unassigned	037058	3727	8906

Invention:

**PROTECTIVE COVER FOR MEDICAL DEVICES**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$385.00

☐ Design application filing fee \_\_\_\_\_

☒ Total number of independent claims = 3 \_\_\_\_\_

☒ Total number of claims = 27 \$63.00

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$65.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees \$513.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due \$513.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
124189-1004

In Re Application Of: **George Kent McClure, et al.**

Application No. 10/811,500	Filing Date 3/26/04	Examiner Unassigned	Customer No. 037058	Group Art Unit 3727	Confirmation No. 8906
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Invention:

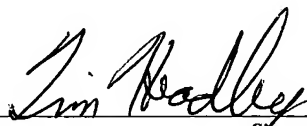
**PROTECTIVE COVER FOR MEDICAL DEVICES**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$513.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.



*Signature*

**Tim Headley**  
Reg. No. 31,765; Customer No.: 037058  
Gardere Wynne Sewell LLP  
1000 Louisiana, Suite 3400  
Houston, Texas 77002  
Telephone: (713) 276-5320  
Fax: (713) 276-6320  
Email: theadley@gardere.com

Dated: **8-6-04**

I certify that this document and fee is being deposited on **8/6/04** with the U.S. Postal Service as **express** mail under 37 C.F.R. **1.10** and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**EV451434510US**

*Signature of Person Mailing Correspondence*

**Deborah Foots**

*Typed or Printed Name of Person Mailing Correspondence*

CC:

Attorney Docket No. 124189-1004

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: George Kent McClure

U.S. App. Ser. No.: 10/811,500

Customer No.: 037058

Filing Date: March 26, 2004

Examiner: Unknown

Group No.: 3727

Invention: PROTECTIVE COVER FOR MEDICAL DEVICES

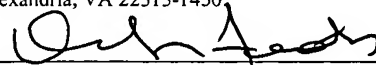
MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

## CERTIFICATE OF MAILING

Express Mail No. EV451434510US

Date of Deposit: 8/6/04

This paper and fee are being deposited with the U.S. Postal Service and sent via "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Typed name: Deborah Foots

## TRANSMITTAL LETTER

Sir:

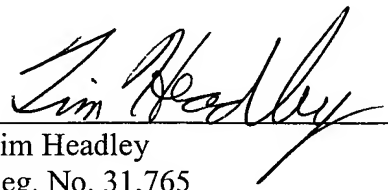
I have enclosed the following documents for the above-identified patent application:

1. Response to Notice to File Missing Parts;
2. Declaration for George Kent McClure and Margaret Ann Johnston;
3. *Copy* of Notice to File Missing Parts;
4. Power of Attorney to Prosecute Applications Before the USPTO
5. Statement Under 37 CFR 3.73(b);
6. *Copy* of Assignment filed August 6, 2004
7. Check in the amount of \$513.00 (basic filing fee, late declaration surcharge, and fee for additional claims); and
8. Postcard.

Applicants and Assignee qualify for small entity status as defined in 37 CFR 1.27(a)(1)(2), for the purposes of paying reduced fees. Applicants believe that no additional fees are due with this filing. However, if this is incorrect, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 07-0153 of GARDERE WYNNE SEWELL LLP.

Respectfully submitted,

Date: 8-6-04

  
Tim Headley  
Reg. No. 31,765  
Gardere Wynne Sewell LLP  
1000 Louisiana, Suite 3400  
Houston, Texas 77002-5007  
Direct: 713.276.5320  
Direct Fax: 713.276.6320  
Email: theadley@gardere.com


**Rec'd PCT/PTO 06 AUG 2004**
**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/811,500	03/26/2004	George Kent McClure	124189-1004

**CONFIRMATION NO. 8906**

37058  
 TIM HEADLEY  
 GARDERE WYNNE SEWELL LLP  
 1000 LOUISIANA, SUITE 3400  
 HOUSTON, TX 77002

**FORMALITIES LETTER**


\*OC000000012905576\*

Date Mailed: 06/09/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**
**FILED UNDER 37 CFR 1.53(b)**
*Filing Date Granted*
**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$126** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1026** for a Large Entity

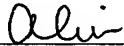
- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$126
  - \$126 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE